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OFFICE OF PETITIONS

In re Application of
Mark E. Dillon
Application No. 09/754,010
Filed: January 3, 2001
Attorney Docket No. E-1950
Title: NOVEL WOUND DRESSING,
PROCESS OF MANUFACTURE AND
USEFUL ARTICLES THEREOF

DECISION GRANTING
PETITION UNDER 37 C.F.R. §1.137(b)

This is a decision on the petition filed December 27, 2004, pursuant to 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R §1.113 in a timely manner to the final Office action mailed February 21, 2003, which set a shortened statutory period for reply of three (3) months. On May 27, 2003, an amendment was received, which contained a certificate of mailing dated May 21, 2003. On June 2, 2003, an advisory action was mailed, indicating that the amendment failed the place the application in condition for allowance. On October 31, 2003, a second after-final amendment was received² along with a two-month extension of time, and a second advisory action was mailed November 24, 2003. No further extensions of time were received. Accordingly, the above-identified application became abandoned on July 28, 2003. A notice of abandonment was mailed March 24, 2004.

1 A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

2 The second after-final amendment contained a certificate of mailing dated June 27, 2003.

With the instant petition, petitioner has filed the petition fee, a Request for Continued Examination (RCE) under 37 C.F.R. §1.114, as well as the associated fee, and has made the proper statement of unintentional delay. The RCE has been accepted as the required reply under 37 C.F.R. §1.137(b)(1). The amendment, previously filed on October 31, 2003, shall serve as the required submission.

As such, the petition is **GRANTED**.

After this decision is mailed, the application will be forwarded to Technology Center 1600 for consideration of the submission under 37 C.F.R. §1.114, the previously filed amendment.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



Paul Shanowski
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